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**IN THE CLAIMS:**

1. (Currently Amended) A capsule endoscope comprising a capsule portion,  
the capsule portion comprising at least:

an observation optical unit having an image pick-up element and an optical  
lens that forms an objective optical system;

an illuminating unit having an illuminating substrate, an electroluminescence  
device as a light source ~~a surface emission light source~~, and a light-emitting control circuit;

peripheral-circuit parts which form various circuits including a signal  
processing circuit, a receiving and transmitting circuit, and a control circuit; and

a power source unit which supplies power to the observation optical unit, the  
illuminating unit, and the peripheral-circuit ~~part~~ parts,

wherein the electroluminescence device is arranged around the observation  
optical unit, so that the electroluminescence device is formed on one of the entire surface of a  
transparent substrate mounted on the illuminating substrate and directly on the entire surface  
of the illuminating substrate.

2. (Cancelled)

3. (Currently Amended) A capsule endoscope comprising a capsule portion,  
the capsule portion comprising at least:

an observation optical unit having an image pick-up element and an optical  
lens that forms an objective optical system;

an illuminating unit having an illuminating substrate, an electroluminescence  
device as a light source, and a light-emitting control circuit;

peripheral-circuit parts which form various circuits including a signal processing circuit, a receiving and transmitting circuit, and a control circuit; and  
a power source unit which supplies power to the observation optical unit, the illuminating unit, and the peripheral-circuit parts,  
wherein the electroluminescence device is arranged on an inner peripheral surface of an observing-side cover out of the observing field of view range of the observation optical unit according to Claim 1, wherein the surface emission light source is arranged on the surface of the capsule portion out of the field of view of the objective optical system.

4-8. (Cancelled)

9. (Currently Amended) A capsule endoscope according to Claim 1, wherein the electroluminescence device ~~surface emission light source~~ is formed as an R-, G-, and B-matrix.

10. (Currently Amended) A capsule endoscope according to Claim 1, wherein the electroluminescence device ~~surface emission light source~~ is divided and is arranged on the illuminating substrate.

11. (Currently Amended) A capsule endoscope according to Claim 10, wherein the electroluminescence device ~~surface emission light source~~ is divided into sources for R, G, and B and is arranged.

12. (Currently Amended) A capsule endoscope according to Claim 1, wherein the surface electroluminescence device ~~emission light source~~ has an optical member for light condensing or diffusion on the top surface thereof.

13. (Cancelled)

14. (Currently Amended) A capsule endoscope according to Claim [[4]] 1,  
wherein the electroluminescence device is formed on a variable focusing member as  
illuminating direction changing means arranged on the illuminating substrate, further  
comprising:

~~illuminating direction changing means which changes an illuminating direction~~  
~~of the surface emission light source on the illuminating substrate.~~

15. (Original) A capsule endoscope according to Claim 14, wherein the  
illuminating direction changing means comprises:

a bottom electrode arranged on the illuminating substrate;

a top electrode arranged facing the bottom electrode; and

a spacer member which forms a predetermined electrostatic gap between the  
bottom electrode and the top electrode.